



AO-3
The Commonwealth of Massachusetts

*Office of
Campaign & Political Finance*

One Ashburton Place, Boston 02108

727-8352

*Dennis J. Duffin
Director*

February 25, 1985
AO-1985-3

Daniel B. Winslow
Suite 2800
100 Summer Street
Boston, MA 02110

Dear Mr. Winslow:

This is in response to your request for an advisory opinion relative to the application of G.L. c. 55 to certain political activities. Specifically, you have inquired whether c. 55 would permit the Ripon Society, a Republican Club, to accept corporate advertising for a Republican Party newspaper it wishes to publish. For the reasons set forth below, c. 55 would not permit publication issued on behalf of a political party to accept corporate advertising.

G.L. c. 55, §8 deals squarely with the issue presented. That section states, in relevant part, "...no business corporation incorporated under the laws of or doing business in the commonwealth and no officer or agent acting in behalf of any corporation mentioned in this section, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing for the purpose of aiding, promoting or preventing the nomination or election of any person to public office, or aiding, promoting or antagonizing the interest of any political party..." The use of corporate advertising to financially support the publication you describe would clearly result in a corporation paying money to the publication. There is no doubt that the purpose of this newsletter is to support the interests of the Republican party and its candidates. Indeed, you yourself state in your letter that "the Ripon Society, a republican club, [has] arranged to assume responsibilities of publishing 'Reports 84' on behalf of the Massachusetts Republican Party."

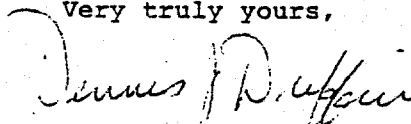
The use of corporate advertising in this instance would result in corporations making payments for the purpose of furthering the interests of the Republican Party, which is prohibited under the above-quoted provision of Section 8. That section further states that "No person or persons, no political committee, and no person acting under the authority of a political committee, or in its behalf, shall solicit or receive from such corporation or such holders of stock any gift, payment, expenditure, contribution or promise to give, pay, expend or contribute for any such purpose." Therefore, not only may a corporation not make

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any payment to this publication on behalf of the Republican Party, but no person may receive such payments.

G.L. c. 55 speaks quite firmly and distinctly to the question you have raised. "Financial Safeguards," as you have proposed, cannot change nor impact on the absolute and strict prohibition against the corporate campaign finance activity in which you are interested. For the reasons set forth above, the campaign finance law prohibits the Ripon Society, a Republican Club, from accepting corporate advertising for a Republican Party newspaper.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Dennis J. Duffin", is written over the typed name.

Dennis J. Duffin
Director

DJD/rep